

OREGON TRANSPORTATION COMMISSION

**Minutes of the Regular Monthly Meeting
August 17-18, 2011
John Day, Oregon**

On Wednesday, August 17, 2011, at 3:33 p.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff began the regular monthly meeting at the Grant County Regional Airport, 720 Airport Road, John Day. Afterwards, there was a tour of the Grant County Regional Airport. That evening, the commission met for dinner with members of the South East Area Commission on Transportation (ACT) and ODOT staff at the Snaffle Bit Dinner House, 830 South Canyon Boulevard, John Day.

On Thursday, August 18, 2011, at 8:30 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a briefing session and reviewed the agenda in the Boardroom at the Grant County Regional Airport. The regular monthly meeting continued at 9:30 a.m.

Notice of these meetings was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meetings included:

Commissioner Dave Lohman	Government Relations Manager Robin Freeman
Commissioner Mark Frohnmayer	Innovative Partnerships Manager Jim Whitty
Commissioner Tammy Baney	Safety Division Administrator Troy Costales
Director Matthew Garrett	Region 3 Manager Frank Reading
Chief of Staff Joan Plank	Region 5 Manager Monte Grove
Interim Deputy Director Operations Jerri Bohard	Interim Commission Assistant Jacque Carlisle
Public Transit Division Administrator Michael Ward	
Highway Division Administrator Paul Mather	

Wednesday, August 17

Commissioner Lohman called the meeting to order at 3:33 p.m.

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Public comment was received from George Griffith who spoke in support of a new road across Horseshoe Bend on Highway 74.

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The commission received an update on Vehicle Road Usage Charges in Oregon from Office of Innovative Partnerships Manager Jim Whitty, Director Matthew Garrett, and Federal Affairs Manager Robin Freeman. *(Background materials in General Files, Salem)*

Jim Whitty gave a presentation on the new vision for vehicle road usage charges in Oregon.

After guiding the policy behind ODOT's work on mileage based charges since 2001, the Road User Fee Task Force was reconstituted in 2010 to consider revenue options for the emerging fleet of electronic and plug-in hybrid electric vehicles that will pay no fuel tax, or only a tiny amount. The task force developed a revised concept for a distance based road usage charge with the requirements that motorists periodically provide mileage data to a billing agency, in a manner of their choosing, from approved methods of compliance.

The revised concept calls for an open system that is integrated and based on common standards for mileage data collection, common standards for invoicing and payment, and a certification process for external service providers whereby components performing the same function can be readily substituted or provided by multiple providers.

The task force developed legislation based on the revised concept for a vehicles road usage charge that ultimately became HB 2328. This bill passed through two committees in the House with bipartisan support before getting stuck in Ways and Means Committee.

In hearings on HB 2328, two basic electronic data reporting options were presented to the 2011 Legislature. The 'Odometer Method' would send odometer readings wirelessly to the billing agency. Motorists choosing this method would pay on all miles reported whether or not driven within state. The 'Vehicle Location Method' would use vehicle location technology to count and allocate miles by geographical location. This method would enable motorists to report and pay on only miles driven within the state.

Invoicing and payment under the open system would be provided by ODOT or a private sector provider that would send a billing to the motorist. The motorist would pay by mail, on-line, or other approved methods available.

Other highlights of the presentation were:

- The particulars and legislative progress of House Bill 2328
- House Bill 2138B direction to the Road User Fee Task Force when recommending design of pilot projects
- Next steps for Road User Charge development in Oregon.

Jim Whitty discussed the approach for taking this to the next legislature.

- Stage 1 - development of a stakeholder group and communications effort
- Stage 2 – task force prepare for implementation
- Stage 3 - resolve issues raised during the legislature process in the 2011 session

Government Relations Manager Robin Freeman noted we have laid very good groundwork, but there are many different interest groups and we need to inform and provide extensive outreach.

Jim Whitty closed by saying that ODOT will ask the Road User Fee Task Force for policy direction for development of a technology and system pilot program by 2013 that completes definition of the reporting and payment methods for a road usage charge. Concurrent with operating the pilot to prove viable methods for reporting and payment, the task force will also further define how the flat fee option identified in HB 2328B would work.

The commission asked what had been done to address complaints from rural parts of the state that the system was unfair and that rural areas would pay more. Jim Whitty explained that it is unlikely that rural drivers would pay more than they do now under the gas tax because they will tend not to drive the new fleet of vehicles. A lot of the new vehicles will be small and non-working electric vehicles located in the Willamette Valley. The real issue is what happens when gas tax revenues shrink. Will the legislature increase the gas tax on traditional gasoline consuming vehicles, letting the electric vehicles go without tax, or allocate smaller available resources to the more populated areas?

Grant County Commissioner and SEACT Co-Chair Boyd Britton addressed the commission, saying that before high-level interactions/connections can work, there has to be low-level interactions. While he gets to enjoy the transportation system, he doesn't really think about who pays for it and how it gets funded. Most citizens never think of that either. Most citizens are reasonable people and if they can be convinced that the system is not working the way it is and what we need to continue, they will come with us and the high level interactions/connections will work with their support.

He added that roads seem almost free. People don't notice how they pay for the roads now because it's incorporated in the fuel tax when they buy gas. To change this way of thinking is a major undertaking



Commissioner Lohman adjourned the meeting at 4:54 p.m.



Thursday, August 18

Pre-meeting highlights were:

---The commission reviewed the agenda items to be discussed during the formal meeting.

---Robin Freeman provided an overview of the reports, task forces and work groups that resulted from the 2011 legislative session as well as from prior sessions. She distributed the following documents:

- o Reports to Legislature
- o Task Forces and Work Groups
- o Reports to the Legislative Assembly

---Matt Garrett talked about the Livable Communities Work Group that is part of the Governor's 10-year plan for Oregon. Matt is chairing the work group.



Commissioner Lohman called the meeting to order at 9:44 a.m.



Director's report highlights were:

---Two videos produced by ODOT's Transportation Safety Division and the Oregon Liquor Control Commission received 'best practices' awards at the National Conference of State Liquor Administrators earlier this summer.

The video, "It's Your Call", is an educational tool for alcohol servers to help them recognize the behavioral signs of intoxication. This knowledge will help servers slow or stop alcohol service, keep patrons safe and their employer/business in compliance with the law.

Filmed in what's called a "wet lab," video viewers learn about the more subtle, early signs of intoxication. During a wet lab, volunteers drink specific amounts of alcohol over a period of time. Throughout the process, their blood alcohol levels are monitored, their behavior is observed and their reactions measured. The video follows the volunteer drinkers from sober to legally impaired.

Transportation Safety Division's Impaired Driving Program funded the production of the video and the DVD duplication. ODOT Videographer John Kazmierski shot and edited the video. The video is shown during alcohol server education classes. Businesses can also use it to provide continuing education to their veteran servers.

Another OLCC video received special recognition at the NCSLA conference. "Wasted" is the story of a high school girl killed in an impaired driving related crash. The video, again produced by Kazmierski, is an integral part of OLCC's minor education program. "Wasted" also received a regional Emmy nomination.

Both videos can be seen online in ODOT's Video Library,
http://www.oregon.gov/ODOT/COMM/video_podcasts.shtml.

---The American Association of Motor Vehicle Administrators (AAMVA) has announced that this year's winner of its Commercial Vehicle Safety Award is a team of five Motor Carrier Transportation Division (MCTD) employees. MCTD Safety Compliance Specialists Jess Brown, David Rios, Harold Smith, Steve Swanson, and Harold Wolford make up a team called Oregon's Safety Shift4. They were nominated because they've been outperforming all other truck inspectors and they exemplify the best in Oregon's truck safety enforcement efforts.

In the last two years, these five individuals alone conducted 3,700 inspections and turned in an overall driver out-of-service rate of 28 percent in 2009, and 21 percent in 2010. Partly as a result of the Safety Shift4 team's work in the past three years, truck crashes in Oregon are down 20 percent, crashes in which the truck driver is at-fault are down 25 percent, crashes caused by a truck mechanical problem are down 19 percent, injuries in truck crashes are down 22 percent, and fatalities are down 17 percent.

The Commercial Vehicle Safety Award is presented by AAMVA, in cooperation with the Federal Motor Carrier Safety Administration (FMCSA) and International Registration Plan (IRP) Inc. The award recognizes the jurisdiction, agency or person who has made significant contributions to improving highway safety involving commercial vehicles and their drivers. The intent of the award is to recognize those who have contributed most significantly to the reduction of fatalities or crashes.

---The US Department of Transportation announced that it was awarding \$417.3 million for highway-related projects throughout the nation. In response to a June invitation to apply for federal funding, USDOT received more than 1,800 applications requesting nearly \$13 billion.

In cooperation with local governments, Indian Tribes, other state and federal agencies, ODOT submitted 74 project proposals requesting \$112 million. Submitted projects reflected a varied distribution of project types providing diverse benefits throughout the state.

Of the 74 project proposals submitted by ODOT, 16 were awarded funding totaling \$19.5 million. Overall Oregon received nearly one out of every 20 dollars awarded in the nation, (three times our normal share of total discretionary funding).

Under the Interstate Maintenance Discretionary Program, Oregon received \$3.25 million to improve the southbound ramp to the I-5 Kuebler Interchange in Marion County, and \$3 million to continue work on the Columbia River Crossing (CRC) project. When combined with funding received by Washington, federal funding provided for the CRC equaled the maximum to be provided for any one project.

Under the Public Lands Highways Discretionary Program, Oregon received \$6.6 million for four projects including:

- \$923,000 to construct passing lanes and complete other safety improvements on US 26 (Warm Springs Highway) at the Wasco-Jefferson County lines. The project continues ongoing activities to provide additional passing opportunities and improve safety for motorists and commercial vehicles using one of Central Oregon’s most important travel routes;
- \$1.7 million to upgrade pavement and reconstruct sidewalks in Sisters Oregon, a popular Oregon tourist destination; and
- \$2.1 million to continue restoration efforts on the nationally recognized Historic Columbia River Highway. The funding will complete the “missing link” between Warrendale and Moffett Creek, creating a continuous pedestrian-bicycle route from Troutdale to Gorge communities.

Under the National Scenic Byways Program, Oregon received \$1.5 million for three projects, including:

- \$1.04 million to construct a welcome station for providing information on the Cascade Lakes National Scenic Byway; and
- \$72,000 for additional signage along the Historic Columbia River Highway.

Under the National Covered Bridge Preservation Program, Oregon received \$2.1 million for five projects to continue preservation of covered bridges located throughout Oregon.

Of two projects submitted for funding under the National Ferry Boat Discretionary Program, Oregon received \$1.83 million to construct a new Westport Ferry Landing in Clatsop County. The new landing will accommodate a larger ferry that will be able to carry a greater number of passenger vehicles and larger commercial vehicles.



Public comment was received from:

---Ann Hanus of the Association of Oregon Counties (AOC) introduced herself, saying she will be replacing the retiring Art Schlack. Ann has been with state government for over 20 years, and with AOC the last three years. She looks forward to working with the commission as a partner.

---SEACT Co-Chair Boyd Britton welcomed the commission to Grant County, and John Day.

---George Griffith spoke in favor of promoting a new road on Horseshoe Bend.



ODOT employee Patty McClure was presented her 30-year service pin by the Commission, Director Garrett, and Safety Division Administrator Troy Costales.



The commission considered a request to approve the 2012 Oregon Traffic Safety Performance Plan, and authorize the Transportation Safety Division Administrator to sign necessary agreements to carry out projects in the safety program. The request was submitted by Transportation Safety Division Administrator Troy Costales, and Oregon Transportation Safety Committee Chair Mike Laverty. (*Background materials in General Files, Salem*)

The "2012 Oregon Traffic Safety Performance Plan" summarizes major safety issues, ODOT's goals, how ODOT will approach those goals, and how staff will measure success. Areas analyzed include bicycle safety, community traffic safety programs, impaired driving, motorcycle safety, occupant protection, pedestrian safety, police traffic services, roadway safety, work zone safety, driver education, speed, and youthful drivers.

The Oregon Transportation Safety Committee reviewed and adopted the plan on July 12, 2011, and will submit it to the National Highway Traffic Safety Administration on September 1, 2011. The Governor's Advisory Committee on DUII endorsed the plan at its July 8, 2011 meeting, and the Governor's Advisory Committee on Motorcycle Safety endorsed the plan on July 8, 2011. The 2012 document includes all funding sources and projects in the Transportation Safety Division for 2012.

Mike Laverty said 2010 was a successful year in traffic safety. The year ended with a fatality total of 317, a 16 percent decline from 2009. This is one of the biggest declines in the country. Two areas are included in the 2012 plan that contributed to this decline. One is the Speed Task Force Plan to reduce speeding, Oregon's number one cause of fatal crashes. The other is legislation enacted that mandates the use of ignition interlock devices.

Troy Costales highlighted portions of interest in the plan that demonstrate Oregon has been at, or better, than the national average since 1999.

The commission asked how the plan was addressing behavior patterns and issues around texting while driving. Distracted driving is covered in many areas of the plan. The main focus at this point has been educational through a mass media enterprise.

Director Garrett asked Troy Costales to talk about the provisional license for teens and the impact the provisional license has had. Troy explained that recent legislation provides an incentive for teens to participate in driver education training. A research study shows that one in three teens who have taken the training had 10-12 percent fewer crashes on their record, there were 45-50 percent fewer citations, and 80-90 percent fewer suspensions. In addition, fatal crashes where a teen was behind the wheel have dropped by 62 percent for 16-year olds, 45 percent for 17-year olds, and 23-25 percent for 18-20-year olds.

Commissioner Baney moved to approve the Traffic Safety Performance Plan for 2012, and give authorization to the administrator to sign agreements. Commission members unanimously approved the motion.



The commission participated in a discussion with members of the Southeast Area Commission on Transportation (SEACT), and considered approval of its updated charter and biennial report. SEACT Co-Chair and Grant County Commissioner Boyd Britton, and SEACT members participated in the discussion. *(Background materials in General Files, Salem)*

SEACT panel members introduced themselves and gave a brief explanation of their duties with the ACT:

Karen Kendall, SEACT Staff
Ken Freese, SEACT Member
Craig LaFollette, Mayor, City of Burns
Monte Grove, ODOT Region 5 Manager
Doug Ferguson, SEACT Member
Roberta Donovan, SEACT Member
Peggy Gray, SEACT Member
Tom Davis, SEACT/ODOT Liaison
Boyd Britton, SEACT Co-Chair
Dan Joyce, Malheur County Judge

The SEACT has 16 voting members, and is responsible for Grant, Harney and Malheur Counties, and the Burns Paiute Tribe. The OTC approved the initial charter on October 11, 2000. The biennial report describes SEACT's procedures and accomplishments over the last two years, and demonstrates how it meets the Oregon Transportation Commission's "Policy on the Formation and Operation of Area Commissions on Transportations" and the Highway Division directive that implements the policy.

Prior to the discussion, local area officials were provided two questions:

1. What are the transportation needs and opportunities in the region (e.g., air, transit, rail, highway, marine and safety)?
2. How can the OTC strengthen or enhance its relationship with local officials?

Highlights of the discussion were:

- o As a direct result of the formation of the ACT, relations with ODOT and local government have greatly improved.
- o Relations with the outlying counties have improved.
- o The ACT has improved understanding of ODOT and transportation issues.
- o Communication provided through the ACT, and with other counties has been a tremendous asset.

- The local governments appreciate Director Garrett's personal outreach.
- Team Oregon is a program that works.
- The ACT has fostered better relationships between the entities. The partnering between ODOT, the cities, and the counties has been an intricate part of delivering service, and that needs to continue to foster.
- This is a different age, and we need to look outside the box to be more efficient.

Commissioner Frohnmayer moved to approve the updated SEACT charter and biennial report. Commission members unanimously approved the motion.



The commission participated in a discussion with a panel of county administrators on county funding and the challenges faced in maintaining country roads. (*Background materials in General Files, Salem*)

Panel members included:

- Ken Helgerson, Baker County Roadmaster
- Mark Webb, Grant County Judge (on the phone)
- Jon Oshel, Association of Oregon Counties Road Program Manager
- Robb Paul, Douglas County Public Works Director
- Mark Hensley, Grant County Road Supervisor

Director Garret started the discussion by talking about financial realities at the state and federal level. While the situation is bleak, there is an opportunity to pause and reflect on the way we do business.

Conversation at the federal level shows that revenues are not keeping up with expenditures. The trust fund continues to rely on infusions of general fund dollars, to the tune of \$35 billion over the past several years. That is not sustainable. The need to align expenditures with revenue means a 30 percent reduction, which for the state of Oregon means a reduction of \$150-175 million.

This forecast is somewhat mirrored at the state level. We enter the conversation somewhat challenged on every front. This demands that all transportation providers look at the way service is delivered, and take the resources available and leverage them to make things work.

John Oshel from the Association of Oregon Counties (AOC) gave a presentation on Oregon county roads and the impacts of declining federal forest payments. Highlights of the presentation were:

- 25 percent of U.S. Forest Service (USFS) timber receipts go to county roads and schools
- revenue stopped when timber harvest stopped
- a history of timber payments to county road funds

- impacts from loss of revenue
- chances for reauthorization are slim
- \$80 million annual increase from the Jobs for Transportation Act (JTA) is offset by \$100 million annual USFS revenue loss
- State Highway Funds are distributed proportional to vehicle registrations
- USFS revenue is distributed based on historic timber cut in each county

Mark Webb said Grant County funds generally go to the road department, annual operations, and the road reserve fund. Traditionally, the county gave the school district about \$1 million annually to supplement funds from the state and property tax. That amount has decreased the last few years proportionately to the decrease in federal funds. General fund monies are from an investment fee Grant County charges for agencies or departments that have more than a million dollars that the Treasurer handles, and from an administrative fee charged.

Mark Hensley said Grant County realized around 2008 that there would be future fund decreases and actively started building the road reserve fund and making changes to operate without that revenue. One of the key lessons learned has been to be open minded when making changes, and when you fall down, you pick yourself back up. The old method of just throwing money at something to get it fixed, has changed to maintaining existing systems.

Robb Paul gave a brief presentation on the Douglas County Road system and Douglas County's partnership with ODOT. He discussed a few of the many successful projects Douglas County has partnered with ODOT on in the past. The Douglas County Public Works budget has dropped from \$21 million in 07-08, to \$9.5 million in 12-13. This has resulted in a reduction in staff from 122 in July 2002, to 70 in October 2011. Total staff by 2014 will be 50. They are faced with the challenge of a public that wants the same level of service from a budget that has dropped by more than half.

Ken Helgerson said Baker County has a very large infrastructure and a very small population. Revenue losses have resulted in reductions all across the board, the most disturbing being the reduction in employees. The core size of the road department is getting to the point where the department is not viable to maintain a consistent, safe transportation system.

John Oshel concluded with the following comments on problems faced by the counties:

- Once a project gets to the level where an inter-governmental agreement (IGA) is required, it gets very difficult. ODOT has an impediment in that these have to be reviewed by the Justice Department, who has the view that ODOT should have no risk. That places all the risk on the local agency. This is detrimental to completing successful IGAs.
- Equipment sharing is very common, but is impeded by the fact that a given piece of equipment is needed by everybody at the same time.
- Joint facilities are limited opportunities.

- The cost of reverting to gravel roads versus maintaining existing roads.
- Increased costs for materials has created a gap in what can be created new, and the word to the public is, we can't create anything new if we can't maintain what we have.

Commissioner Lohman said we need to have a conversation with legislators on the issue of joint facilities and equipment use, to give them an understanding of how much is going on already and what the impediments are. The commission needs help from local government to help educate people on the realities of joint use of equipment and facilities.



The commission received a report on the challenges of low-volume roads from the perspective of the Transportation Research Board's (TRB) standing committee on low-volume roads. (*Background materials in General Files, Salem*)

ODOT Region 2 Project Delivery Manager and TRB Low-Volume Roads Committee Chair Mike Long gave a presentation on low-volume roads: what they are, why they are important and current issues.

Highlights of the presentation were:

- low-volume roads are the lifelines of our communities
- TRB Standing Committee on Low-Volume Roads is concerned with all aspects of low-volume roads, including planning, design, construction, safety, maintenance, operations, environmental and social issues
- committee history
- current topics of interest include:
 - maintenance needs and rural road financing
 - effects of new agricultural, mining, and alternative energy operations
 - road dust control
 - safety issues
 - roadway management
 - environmentally friendly design techniques
- condition assessments
- heavy loads
- of the approximately 4 million miles in the United States' road system, 3 million miles are rural, low-volume roads maintained by some 35,000 local agencies
- local roads are at risk and falling into disrepair as local officials struggle with growing demand for service
- 51 percent of the nation's bridges are owned by local government
- The Association of Oregon Counties projects a gap of \$433 million per year between current funding and what county road departments need to build, preserve, and maintain the county road system over the next five years

- Highway safety records on local roads are unacceptable and are in part a consequence of underinvestment in local roads
- examples of LVR training and resources available
- Local Technical Assistance Program (LTAP) is a national program with 58 centers across the nation to provide support, training, and resources to tribal and local governments
- alternative surfacing treatments
- road slope stabilization treatment

There was discussion on the pros and cons of gravel roads versus asphalt in regard to safety, maintenance costs, vehicle damage, dust, economy and environmental issues.



The commission considered approval of the Consent Calendar. (*Background materials in General Files, Salem*)

1. Approve the minutes of the July 20, 2011, commission meeting in Corvallis.
2. Confirm the next two commission meeting dates:
 - Wednesday, September 21, 2011, in Portland
 - Wednesday and Thursday, October 19-20, 2011, annual workshop and meeting in Gleneden Beach
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rules:
 - a. Temporary amendment of 734-060-0000 and temporary adoption 734-060-0007 relating to digital billboards.
5. Approve a request to appear before the September 2011 Ways and Means Committee of the Oregon Legislature to request retroactive permission to apply for a \$5,000,000 State of Good Repair Discretionary Grant from the Federal Transit Administration.
6. Approve a request to remove the Lost Prairie parking area located on U.S. 20: Santiam Highway at MP 67.26 in Linn County from the Sno-Park program.
7. Approve a request to move the U.S. 199 designation from 6th and 7th streets to the Grants Pass Parkway (Redwood Spur Highway) in Grants Pass.
8. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program to add \$85,000 in Transportation Enhancement Discretionary funds to supplement the approved Surface Transportation Program funds for the Bear Creek Greenway Trail Reconstruction project in Jackson County.

9. Approve an increase in construction authorization in the amount of \$6,705,588 for additional work on the Interstate 5: SW Iowa Street Viaduct Bridge project in Multnomah County. This will change the construction authorization from \$38,049,633 to \$44,755,221. This project is 48 percent complete.
10. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program to add a construction phase to the Interstate 5: Carmen Drive – Lower Boones Ferry in Region 1. The total estimated project cost is \$1,950,823.
11. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program to add construction phases to the following seven Region 1 preservation projects:
 - Oregon 213: Monte Carlo – MP 7.70
 - Oregon 99E: MP 19.47 – Pine Street
 - U.S. 26 SE Cherryville Drive – Salmon River
 - Oregon 35: MP 94 – Hood River
 - U.S. 26: 22.5 – SE Luzon Lane
 - Oregon 24: Rock Creek – Deep Creek
 - U.S. 30 Business: NE 60th Avenue – NE 82nd Avenue

Commissioner Baney moved to approve the Consent Calendar. Commission members unanimously approved the motion.

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Commissioner Lohman adjourned the meeting at 1:09 p.m.

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Not present

 Gail Achterman, Chair



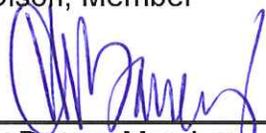
 David Lohman, Member

Not present

 Mary Olson, Member



 Mark Frohnmayer, Member



 Tammy Baney, Member



 Roxanne Van Hess, Commission Support